

DEILY, MOONEY & GLASTETTER, LLP  
8 Thurlow Terrace  
Albany, New York 12203  
(518) 436-0344  
Martin A. Mooney, Esq. (BBO# 632599)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS

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In Re:

**STIPULATION AND ORDER**

KAREN M. MACKEY,

Case No. 09-14901-JNF  
(Chapter 7)

Debtor.

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WHEREAS, the debtor, Karen M Mackey , filed a Chapter 7 bankruptcy proceeding on May 28, 2009.

WHEREAS, RBS Citizens, N.A. (hereinafter "RBS Citizens") is a secured creditor herein and the holder of a duly perfected Note and Mortgage upon certain real property located at 43 Loring Road, Winthrop, MA 02152 owned by the debtor, above-named.

WHEREAS, RBS Citizens, N.A. moved for relief from the automatic stay pursuant to 11 U.S.C. Section 362(d)(1) on or about September 10, 2010 based upon the debtor's failure to make payment to RBS Citizens, N.A.

WHEREAS, debtor's counsel submitted opposition to RBS Citizens, N.A.'s Motion for Relief from the Automatic Stay on or about September 24, 2010.

WHEREAS, a Notice of Non-Evidentiary Hearing has been scheduled for October 4, 2010 at 10:00 a.m. before the Honorable Joan N. Feeney in Boston, Massachusetts.

WHEREAS, the parties have agreed to resolve the instant dispute by Stipulation.

NOW, upon all pleadings and proceedings heretofore had herein, and the parties having stipulated to the following:

1. That the automatic stay instituted upon the filing of the petition for an Order for relief by the debtor, above-named, be, and the same hereby is, terminated in that it shall not apply to any action by creditor, RBS Citizens, N.A., pursuant to applicable state and federal law, to obtain possession and dispose of certain real property located at 43 Loring Road, Winthrop, MA 02152 in accordance with applicable law.

DATED: Albany, New York  
October 1, 2010

Yours, etc.

/s/ Martin A. Mooney  
Martin A. Mooney, Esq.  
BBO# 632599  
DEILY, MOONEY & GLASTETTER, LLP  
Attorneys for RBS Citizens, N.A.  
8 Thurlow Terrace  
Albany, NY 12203  
Tel: (518) 436-0344  
mmooney@deilylawfirm.com

DATED: October 1, 2010

/s/ Jenny L. Yandell  
Jenny L. Yandell, Esq. (With Permission)  
BBO #658322  
Attorney for Debtor  
Office and P.O. Address:  
Parker & Associates  
10 Converse Place  
Winchester, MA 01890  
Tel: (781) 729-0005  
jyandell@ninaparker.com

**SO ORDERED:**

DATED: Boston, Massachusetts  
October \_\_, 2010

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Hon. Joan N. Feeney  
U.S. Bankruptcy Court Judge  
District of Massachusetts

10.05760